U.S. CONSUMER PRODUCT SAFETY COMMISSION
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TESTIMONY ON POOL SAFETY
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U.S. CONSUMER PRODUCT SAFETY COMMISSION
BEFORE THE SENATE SUBCOMMITTEE
ON CONSUMER AFFAIRS, PRODUCT SAFETY, AND INSURANCE

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Thank you, Mr. Chairman, and good morning. I am pleased to have this opportunity to come before your subcommittee today. I am the Assistant Executive Director for Hazard Identification and Reduction at the U.S. Consumer Product Safety Commission or CPSC. The CPSC is a bipartisan, independent agency charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction.

Since its inception in 1973, CPSC has delivered critical safety benefits to America's families and has made a significant contribution to the 30% decline in the rate of deaths and injuries related to hazardous consumer products. We are proud of our mission and our achievements, and we appreciate the support that Congress has extended to the agency and to its goals over the years.

In my role at CPSC, I oversee the technical work of the agency within the directorates for Epidemiology, Engineering Sciences, Economic Analysis, Health Sciences and Laboratory Sciences. My office is responsible for the collection and analysis of death and injury data concerning consumer products which include swimming pools and related products such as hot tubs, whirlpools, and spas and related accessories as varied as pool slides, drains and alarm systems.

CPSC estimates that every year over 200 children under five years of age drown in swimming pools and more than 2,000 children under five visit hospital emergency rooms after submersion in pools.

Several years ago, CPSC conducted an extensive study of swimming pool incidents, both drownings and non-fatal submersions, in selected communities in the states of California, Arizona and Florida where home pools are very popular and in use during much of the year. In those three states, drowning was the leading cause of accidental death in and around the home for children under the age of five. The findings from that study are instructive.

Most of the victims were being supervised by one or both parents when the submersion occurred. Almost 70 percent of the child victims were last seen in the house or nearby on a porch or in the yard just before the pool incident occurred. A full 98 percent of the incidents occurred in a pool owned by the victim's family or friends with only 2 percent of the incidents involving a child trespassing onto property where they didn't live or where they didn't belong.

The speed with which swimming pool drownings can occur is devastating. A child can drown in the time that it takes to answer a phone. 77 percent of the swimming pool victims had been missing for five minutes or less when they were found. Anyone who has cared for a toddler knows how fast young children can move. Toddlers are inquisitive and impulsive and lack a realistic sense of danger. These behaviors, coupled with a child's ability to move quickly and unpredictably, make swimming pools particularly hazardous for households with young children.

Swimming pool drownings of young children have another particularly insidious feature in that these deaths are silent. It is unlikely that splashing or screaming will occur to alert a parent or caregiver that a child is in trouble.

While we underscore that there is no substitute for diligent supervision, CPSC recommends multiple layers of protection to guard against pool drownings. Constructing *and maintaining* safety barriers to prevent young children from gaining access to pools is an essential first step that every pool owner must take. The Consumer Product Safety Commission has issued a publication with safety barrier guidelines for home pool owners that addresses fencing, gates, and doors leading to the pool, as well as other special requirements for above-ground pools. I would like to submit this publication on safety barriers to the Committee for the record.

In addition to these various types of barriers, CPSC also recommends additional layers of protection such as safety covers and pool alarms. For pool alarms, CPSC advises that consumers use remote alarm receivers so that the alarm can be heard inside the house or in other places that are outside of hearing range from the pool.

Drowning hazards related to spas, hot tubs and whirlpools are also an area of concern to our agency. In 2002 CPSC has reports of nine children under the age of five who drowned in a spa or hot tub. CPSC recommends that consumers use barriers, including a locked safety cover, whenever the spa is not in use and keep children away unless there is constant adult supervision.

One area of special concern regarding both spas and pools is deaths resulting from body entrapment or hair entanglement. CPSC is aware of 74 cases of body entrapment, including 13 deaths between 1990 and 2004. These deaths were the result of drowning after the body, or a limb, was held against a drain by the suction of the circulation pump. CPSC is also aware of 43 incidents of hair entanglement in pools, spas and hot tubs between 1990 and 2004. Twelve of these incidents resulted in drowning deaths as a result of hair becoming entangled in drain grates.

CPSC's publication "Guidelines for Entrapment Hazards: Making Pools and Spas Safer" provides safety information that can be used to identify and eliminate dangerous entrapment hazards in swimming pools, spas and hot tubs. After initially publishing the guidelines in 1998, CPSC received feedback from code officials and pool operators across the country who had applied them in practice. As a result of this feedback, as well as the development of new technologies and product safety standards, CPSC initiated a project in 2003 to update the guidelines based on the information we received from the experiences of these professionals. In 2005 CPSC published the updated guidelines, and I would like to submit a copy of that publication for the record. The approach taken in the guidelines is to present various options to attain "layers of protection" and to strongly encourage owners and builders to construct, renovate and maintain pools that are as safe as possible for the families who enjoy them.

Also in 2005, CPSC's annual comprehensive national safety campaign focused on pool drain entrapment hazards. As part of this information and education drive, CPSC's Chairman participated in a widely covered media event at a local pool to emphasize our message of providing layers of protection to prevent young children from drowning. The event demonstrated a drain entrapment scenario and included live demonstrations of pool alarms. Additionally, as part of this public awareness and education campaign, CPSC field staff made contacts nationwide with state and local pool inspectors, pool contractors and licensing bureau officials to help disseminate our pool safety message.

Another development last year was the identification of an emerging hazard with inflatable pools. In June, CPSC staff cosponsored a meeting with ASTM, a voluntary standards organization, and invited a wide variety of interested parties involved in inflatable pool safety. These are relatively new products that sell inexpensively at retail outlets and hold large volumes of water. They often fall outside of local building code requirements and are often set up in backyards without consideration to appropriate barriers. An ASTM organizational meeting was held last December at CPSC headquarters in Maryland, and working committees were established on areas such as structural integrity, access and barriers, entrapment, electrocution, and warnings.

Since then, CPSC staff has continued its work to address hazards associated with swimming pools and spas. CPSC staff continues to work with safety standard organizations in developing and strengthening voluntary safety standards for such pool related products as alarms, drain covers and suction vacuum release systems. Because of new technologies and new products, pool safety standards work is never a completed project, but rather it is always an ongoing effort to assure the highest level of safety for America's families.

CPSC is a small agency, and working with state and local authorities and concerned citizens is an integral part of CPSC's effort to amplify our message on drowning hazards. In 2004, the Commission held public field hearings on pool safety in Tampa, Florida, and Phoenix, Arizona, to gather information first-hand and to raise awareness of the drowning hazard in the United States. CPSC invited state and local legislators, building code officials, emergency first responders, community groups and others to testify. The information presented at those hearings by the public and local authorities has been extremely helpful to the agency's work on this issue.

CPSC will continue to work aggressively to reduce these deaths and injuries by working with safety standards organizations, state and local code officials, consumer groups and other concerned parties and by conducting comprehensive education and public awareness campaigns. In fact, on May 17th, we will be launching our 2006 public awareness and education campaign, this year focused on hazards associated with inflatable pools. We appreciate the Committee raising awareness of this critical issue, and I am pleased to answer any questions that the Senator may have. Thank you.